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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

2004 OCT -7 P 2:49

MARC SPITZER, Chairman
WILLIAM A. MUNDELL
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KRISTIN K. MAYES

AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF
JOHNSON UTILITIES COMPANY FOR AN
EXTENSION OF ITS EXISTING CERTIFICATE
OF CONVENIENCE AND NECESSITY FOR
PROVISION OF WASTEWATER SERVICE.

DOCKET NO. WS-02987A-04-0501

PROCEDURAL ORDER

BY THE COMMISSION:

On July 9, 2004, Johnson Utilities Company ("Applicant") filed with the Arizona Corporation Commission ("Commission") an application for an extension of its Certificate of Convenience and Necessity ("Certificate") to provide wastewater service.

On October 6, 2004, Staff filed a letter of sufficiency.

Pursuant to A.R.S. §41-1074.C, this Application is deemed administratively complete.

Pursuant to A.A.C. R14-3-101, the Commission now issues this Procedural Order to govern the preparation and conduct of this proceeding.

IT IS THEREFORE ORDERED that the hearing in the above-captioned matter shall commence on **January 5, 2005, at 10:00 a.m.**, or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona 85007.

IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-105, except that all motions to intervene must be filed on or before December 3, 2004.

IT IS FURTHER ORDERED that objections to any motions to intervene must be filed on or before December 17, 2004.

IT IS FURTHER ORDERED that the Applicant shall provide public notice of the hearing in this matter, in the following form and style:

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Arizona Corporation Commission
DOCKETED

OCT - 7 2004

DOCKETED BY	
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PUBLIC NOTICE OF HEARING ON THE
APPLICATION OF JOHNSON UTILITIES COMPANY
FOR AN EXTENSION OF ITS CERTIFICATE OF
CONVENIENCE AND NECESSITY
(WS-02987A-04-0501)

On July 9, 2004, Johnson Utilities Company ("Company") filed an application with the Arizona Corporation Commission ("Commission") for an extension of its Certificate of Convenience and Necessity ("CC&N") to provide wastewater service to a planned development in Pinal County known as Laredo Ranch. If the application is granted, the Applicant would be the exclusive provider of wastewater to the proposed area, and would be required by the Commission to provide service under rates and charges and terms and conditions established by the Commission. The application is available for inspection during regular business hours at the offices of the Commission in Phoenix, at 1200 West Washington Street, Phoenix, Arizona, and at the offices of the Company, [insert address].

The Commission will hold a hearing on this matter beginning on January 5, 2005, at 10:00 a.m., at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona. Public comment will be taken on the first day of the hearing.

The law provides for an open public hearing at which, under appropriate circumstances, interested parties may intervene. Intervention shall be permitted to any person entitled by law to intervene and having a direct and substantial interest in the matter. Persons desiring to intervene must file a written motion to intervene with the Commission, which motion should be sent to the Applicants or its counsel and to all parties of record, and which, at the minimum, shall contain the following:

1. The name, address, and telephone number of the proposed intervenor and of any party upon whom service of documents is to be made if different than the intervenor.
2. A short statement of the proposed intervenor's interest in the proceeding (e.g., a customer of the Applicants, a shareholder of the Applicants, etc.).
3. A statement certifying that a copy of the motion to intervene has been mailed to the Applicants or their counsel and to all parties of record in the case.

The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except that all motions to intervene must be filed on or before December 3, 2004. The granting of intervention, among other things, entitles a party to present sworn evidence at hearing and to cross-examine other witnesses. Failure to intervene will not preclude any potential customer from appearing at the hearing and making a statement on such person's own behalf. You will not, however, receive any further notice of the proceeding unless requested by you.

The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, as well as request this document in an alternative format, by contacting Yvonne McFarlin, ADA Coordinator, voice phone number 602/542-3931, E-mail YMcFarlin@admin.cc.state.az.us. Requests should be made as early as possible to allow time to arrange the accommodation.

IT IS FURTHER ORDERED that the Applicant shall mail to each property owner in the requested extension area a copy of the above notice by November 5, 2004.

1 IT IS FURTHER ORDERED that the Applicant shall file certification of mailing as soon as
2 practicable after the mailing has been completed but not later than December 3, 2004.

3 IT IS FURTHER ORDERED that notice shall be deemed complete upon mailing of same,
4 notwithstanding the failure of an individual to read or receive the notice.

5 IT IS FURTHER ORDERED that Staff shall file a Staff Report by December 3, 2004.

6 IT IS FURTHER ORDERED that the Applicant shall file any objections to the Staff Report
7 by December 17, 2004.

8 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized
9 Communications) applies to this proceeding as the matter is now set for public hearing.

10 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive
11 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

12 DATED this 7th day of October, 2004.

13
14 

15 DWIGHT D. NODES
16 ASSISTANT CHIEF ADMINISTRATIVE LAW JUDGE


17
18 Copies of the foregoing mailed/delivered
19 this 7 day of October, 2004 to:

20 Jay L. Shapiro
21 Patrick J. Black
22 FENNEMORE CRAIG
23 3003 N. Central Avenue, Ste. 2600
24 Phoenix, AZ 85012

25 Christopher Kempley, Chief Counsel
26 Legal Division
27 ARIZONA CORPORATION COMMISSION
28 1200 West Washington Street
Phoenix, Arizona 85007

Ernest G. Johnson, Director
Utilities Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

ARIZONA REPORTING SERVICE, INC.
2627 N. Third Street, Suite Three
Phoenix, Arizona 85004-1104

By: 
Molly Johnson
Secretary to Dwight D. Nodes